

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

MARK ALAN HOCHLEUTNER,

Plaintiff,

v.

Case No. 11-C-0378

TRACY METZ, et al.,

Defendants.

ORDER DENYING MOTION FOR RECONSIDERATION

On March 1, 2012, the Court granted Defendants' motion for sanctions and ordered Plaintiff Mark Alan Hochleutner to pay \$972.03 within ten days of the order. On March 8, 2012 Hochleutner filed the motion for reconsideration presently before the Court. For the reasons discussed herein, the motion will be denied.

A motion for reconsideration serves a very limited purpose in federal civil litigation; it should be used only "to correct manifest errors of law or fact or to present newly discovered evidence." *Rothwell Cotton Co. v. Rosenthal & Co.*, 827 F.2d 246, 251 (7th Cir. 1987) (quoting *Keene Corp. v. Int'l Fidelity Ins. Co.*, 561 F. Supp. 656, 665–66 (N.D. Ill. 1976), *aff'd* 736 F.2d 388 (7th Cir. 1984)). "A 'manifest error' is not demonstrated by the disappointment of the losing party. It is the 'wholesale disregard, misapplication, or failure to recognize controlling precedent.'" *Oto v. Metro. Life Ins. Co.*, 224 F.3d 601, 606 (7th Cir. 2000) (quoting *Sedrak v. Callahan*, 987 F. Supp. 1063, 1069 (N.D. Ill. 1997)). Such motions are disfavored and should be "rare." *Bank of Waunakee v. Rochester Cheese Sales, Inc.*, 906 F.2d 1185, 1191 (7th Cir. 1990).

Hochleutner argues the Court, in its March 1 order for sanctions, prematurely denied his motion for an enlargement of time and motion to join complaints. He does not, however, present errors of law or fact in support of this conclusory statement, nor does he make any argument regarding errors in the actual order for sanctions. He therefore does not highlight any “manifest error”; he merely requests that his motions (ECF No. 53) not be denied until he has been given the full ten days to pay. Had Hochleutner paid the fee, his motion to vacate the portion of the order denying as moot his motions to enlarge and join would have been considered. However, the ten days from the order on sanctions (ECF No. 58) have passed and Hochleutner has failed to pay Defendants the \$972.03. His case is accordingly DISMISSED and his “Motion for Reconsideration” (ECF No. 59) is DENIED.

SO ORDERED this 16th day of March, 2012.

s/ William C. Griesbach
William C. Griesbach
United States District Judge